

Message Text

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70

ACTION EUR-12

INFO OCT-01 IO-10 ISO-00 EB-07 AGR-10 CEA-01 CIAE-00

COME-00 DODE-00 FRB-01 H-02 INR-07 INT-05 L-03 LAB-04

NSAE-00 NSC-05 PA-02 AID-05 CIEP-02 SS-15 STR-04

TAR-01 TRSE-00 USIA-15 PRS-01 SP-02 OMB-01 FEA-01

/117 W

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R 041642Z SEP 75

FM USMISSION EC BRUSSELS

TO SECSTATE WASHDC 9511

AMEMBASSY PARIS

INFO USDEL MTN GENEVA

UNCLAS EC BRUSSELS 07867

E.O. 11652: N/A

TAGS: BEXP, GATT, EEC

SUBJECT: MTN APPARENT NON-TARIFF BARRIER AFFECTING MARKETING IN
FRANCE OF NON-EEC TOYS

REF: PARIS 22491

1. IN RESPONSE TO REFTEL, MISSION SPOKE TO EC COMMISSION
OFFICIALS IN THE DIRECTORATES GENERAL FOR THE INTERNAL
MARKET AND EXTERNAL RELATIONS. BOTH WERE QUITE CATEGORICAL
IN STATING THAT ANY POLICY OF THE FRENCH TELEVISION MONOPOLY
TO ACCEPT TOY ADVERTISING ONLY FROM EC MANUFACTURERS
(REFTEL) IS NEITHER SANCTIONED NOR ENCOURAGED BY THE EC
COMMISSION. THEY DID NOT KNOW OF THE POLICY OR IF IT WAS
PRACTICED ELSEWHERE IN THE EC. THE INTERNAL MARKET
OFFICIAL POINTED OUT THAT THE FRENCH POLICY WOULD APPEAR
TO BE IN VIOLATION OF THE GATT. (ARTICLE III, 4 PROVIDES
THAT TREATMENT OF IMPORTED PRODUCTS MAY BE NO LESS
FAVORABLE THAN THAT ACCORDED TO LIKE PRODUCTS OF
NATIONAL ORIGIN.)

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2. A REASON THAT THE FRENCH TV NETWORK DOES NOT DISCRIMINATE AGAINST TOYS FROM OTHER EC MANUFACTURERS MAY BE THAT WERE IT TO DO SO, IT COULD BE IN VIOLATION OF ARTICLE 30 OF THE ROME TREATY. THE OFFICIAL IN THE DIRECTORATE GENERAL FOR INTERNAL POLICY, WHOSE RESPONSIBILITY IS TO ELIMINATE EXISTING NON-TARIFF BARRIERS AND PREVENT NEW NTBS WITHIN THE EUROPEAN COMMUNITIES, SAID THAT THE FRENCH MEASURE, WERE IT TO BE APPLIED AGAINST OTHER EC COUNTRIES, WOULD BE INTERPRETED BY THE COMMISSION AS A MEASURE HAVING AN EFFECT EQUIVALENT TO A QUANTITATIVE RESTRICTION AND THUS BE IN VIOLATION OF ARTICLE 30.
GREENWALD

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06 JUL 2006

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To: STATE PARIS
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